

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

ROBERT TYNSKY,

Petitioner,

Case No. C20-0162-RAJ

V.

STATE OF WASHINGTON,

### Respondent.

## ORDER DISMISSING FEDERAL HABEAS ACTION

The Court, having reviewed petitioner's petition for writ of habeas corpus, the Report and Recommendation of Mary Alice Theiler, United States Magistrate Judge, any objections thereto, and the remaining record, hereby finds and ORDERS:

(1) The Report and Recommendation is approved and adopted;

(2) Petitioner's petition for writ of habeas corpus (Dkt. 3), and this action, are dismissed without prejudice for failure to exhaust state court remedies;

(3) In accordance with Rule 11 of the Rules Governing Section 2254 Cases in the United States District Courts, a certificate of appealability is DENIED; and

(4) The Clerk is directed to send copies of this Order to petitioner and to the Honorable Mary Alice Theiler.

DATED this 9th day of April, 2020.

Richard D. Jones

The Honorable Richard A. Jones  
United States District Judge

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